

U.S. Department of Labor

Occupational Safety and Health Administration
53 Pleasant Street, Room 3901
J.C. Cleveland Federal Bldg.
Concord, NH 03301
Phone: 603-225-1629 Fax: 603-225-1580



Citation and Notification of Penalty

To:
Window Master, Inc.
and its successors
1459 Main St.
Dublin, NH 03444

Inspection Number: 1129115
Inspection Date(s): 03/01/2016 - 05/11/2016
Issuance Date: 05/25/2016

Inspection Site:
1459 Main St.
Dublin, NH 03444

The violation(s) described in this Citation and Notification of Penalty is (are) alleged to have occurred on or about the day(s) the inspection was made unless otherwise indicated within the description given below.

This Citation and Notification of Penalty (this Citation) describes violations of the Occupational Safety and Health Act of 1970. The penalty(ies) listed herein is (are) based on these violations. You must abate the violations referred to in this Citation by the dates listed and pay the penalties proposed, unless within 15 working days (excluding weekends and Federal holidays) from your receipt of this Citation and Notification of Penalty you either call to schedule an informal conference (see paragraph below) or you mail a notice of contest to the U.S. Department of Labor Area Office at the address shown above. Please refer to the enclosed booklet (OSHA 3000) which outlines your rights and responsibilities and which should be read in conjunction with this form. Issuance of this Citation does not constitute a finding that a violation of the Act has occurred unless there is a failure to contest as provided for in the Act or, if contested, unless this Citation is affirmed by the Review Commission or a court.

Posting - The law requires that a copy of this Citation and Notification of Penalty be posted immediately in a prominent place at or near the location of the violation(s) cited herein, or, if it is not practicable because of the nature of the employer's operations, where it will be readily observable by all affected employees. This Citation must remain posted until the violation(s) cited herein has (have) been abated, or for 3 working days (excluding weekends and Federal holidays), whichever is longer.

Informal Conference - An informal conference is not required. However, if you wish to have such a conference you may request one with the Area Director during the 15 working day contest period. During such an informal conference you may present any evidence or views which you believe would support an adjustment to the citation(s) and/or penalty(ies).

If you are considering a request for an informal conference to discuss any issues related to this Citation and Notification of Penalty, you must take care to schedule it early enough to allow time to contest after the informal conference, should you decide to do so. Please keep in mind that a written letter of intent to contest must be submitted to the Area Director within 15 working days of your receipt of this Citation. The running of this contest period is not interrupted by an informal conference.

If you decide to request an informal conference, please complete, remove and post the Notice to Employees next to this Citation and Notification of Penalty as soon as the time, date, and place of the informal conference have been determined. Be sure to bring to the conference any and all supporting documentation of existing conditions as well as any abatement steps taken thus far. If conditions warrant, we can enter into an informal settlement agreement which amicably resolves this matter without litigation or contest.

Right to Contest – You have the right to contest this Citation and Notification of Penalty. You may contest all citation items or only individual items. You may also contest proposed penalties and/or abatement dates without contesting the underlying violations. Unless you inform the Area Director in writing that you intend to contest the citation(s) and/or proposed penalty(ies) within 15 working days after receipt, the citation(s) and the proposed penalty(ies) will become a final order of the Occupational Safety and Health Review Commission and may not be reviewed by any court or agency.

Penalty Payment – Penalties are due within 15 working days of receipt of this notification unless contested. (See the enclosed booklet and the additional information provided related to the Debt Collection Act of 1982.) Make your check or money order payable to "DOL-OSHA". Please indicate the Inspection Number on the remittance. You can also make your payment electronically on www.pay.gov. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on OSHA Penalty Payment Form. The direct link is:

<https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>.

You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

OSHA does not agree to any restrictions or conditions or endorsements put on any check, money order, or electronic payment for less than the full amount due, and will process the payments as if these restrictions or conditions do not exist.

Notification of Corrective Action – For each violation which you do not contest, you are required by 29 CFR 1903.19 to submit an *abatement certification* to the Area Director of the OSHA office issuing the citation as identified above. The certification must be sent by you within 10 calendar days of the abatement date indicated on the citation. For **Willful** and **Repeat** violations, documents (examples: photos, copies of receipts, training records, etc.) demonstrating that abatement is complete must accompany the certification. Where the citation is classified as **Serious** and the citation states that abatement documentation is required, documents such as those described above are required to be submitted along with the abatement certificate. If the citation indicates that the violation was corrected during the inspection, no abatement certification is required for that item.

All abatement verification documents must contain the following information: 1) Your name and address; 2) the inspection number (found on the front page); 3) the citation and citation item number(s) to which the submission relates; 4) a statement that the information is accurate; 5) the signature of the employer or employer's authorized representative; 6) the date the hazard was corrected; 7) a brief statement of how the hazard was corrected; and 8) a statement that affected employees and their representatives have been informed of the abatement.

Also, the law requires a copy of all abatement verification documents which are required by 29 CFR 1903.19 be posted at the location where the violation appeared and the corrective action took place.

Employer Discrimination Unlawful – The law prohibits discrimination by an employer against an employee for filing a complaint or for exercising any rights under this Act. An employee who believes that he/she has been discriminated against may file a complaint no later than 30 days after the discrimination occurred with the U.S. Department of Labor Area Office at the address shown above.

Employer Rights and Responsibilities – The enclosed booklet (OSHA 3000) outlines additional employer rights and responsibilities and should be read in conjunction with this notification.

Notice to Employees – The law gives an employee or his/her representative the opportunity to object to any abatement date set for a violation if he/she believes the date to be unreasonable. The contest must be mailed to the U.S. Department of Labor Area Office at the address shown above and postmarked within 15 working days (excluding weekends and Federal holidays) of the receipt by the employer of this Citation and Notification of Penalty.

Inspection Activity Data – You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this citation. You are encouraged to review the information concerning your establishment at www.osha.gov. If you have any dispute with the accuracy of the information displayed, please contact this office.



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 05/25/2016. The conference will be held by telephone or at the OSHA office located at 53 Pleasant Street, Room 3901, J.C. Cleveland Federal Bldg., Concord, NH 03301 on

_____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1129115

Company Name: Window Master, Inc.
Inspection Site: 1459 Main St., Dublin, NH 03444
Issuance Date: 05/25/2016

List the specific method of correction for each item on this citation in this package that does not read "Corrected During Inspection" and return to: **U.S. Department of Labor – Occupational Safety and Health Administration, 53 Pleasant Street, Room 3901, J.C. Cleveland Federal Bldg., Concord, NH 03301**

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

I certify that the information contained in this document is accurate and that the affected employees and their representatives have been informed of the abatement.

Signature

Date

Typed or Printed Name

Title

NOTE: 29 USC 666(g) whoever knowingly makes any false statements, representation or certification in any application, record, plan or other documents filed or required to be maintained pursuant to the Act shall, upon conviction, be punished by a fine of not more than \$10,000 or by imprisonment of not more than 6 months or both.

POSTING: A copy of completed Corrective Action Worksheet should be posted for employee review



Citation and Notification of Penalty

Company Name: Window Master, Inc.
Inspection Site: 1459 Main St., Dublin, NH 03444

Citation 1 Item 1 Type of Violation: **Serious**

29 CFR 1910.95(c)(1): The employer did not administer a continuing, effective hearing conservation program as described in 29 CFR 1910.95(c) through (o) whenever employee noise exposures equal or exceed an 8-hour time-weighted average sound level of 85 decibels measured on the A scale, or equivalently a dose of fifty percent:

- a. Routing Room - On or about March 22, 2016, employees were exposed to noise levels above 85 decibels measured on the A scale, and the employer had not developed and implemented a Hearing Conservation Program.
- b. New Shop Area (Routing) - On or about March 22, 2016, employees were exposed to noise levels above 85 decibels measured on the A scale, and the employer had not developed and implemented a Hearing Conservation Program.

ABATEMENT NOTE: The following elements need to be addressed in the company's hearing conservation program:

1. Initial exposure monitoring and periodic reassessment of employees to determine noise exposures.
2. Establishment and maintenance of an audiometric testing program.
3. Provision and enforcement of hearing protection devices where required.
4. Institution of an initial training program for employees, as well as annual refresher training, including information on the hazards of noise, purpose of audiometric testing, and proper use of hearing protectors.
5. Maintenance of records as they relate to employee exposure measurements, audiograms, and training.

Date By Which Violation Must be Abated:
Proposed Penalty:

07/13/2016
\$2,000.00



Citation and Notification of Penalty

Company Name: Window Master, Inc.
Inspection Site: 1459 Main St., Dublin, NH 03444

Citation 1 Item 2 Type of Violation: **Serious**

29 CFR 1910.134(g)(1)(i)(A): Respirators with tight-fitting facepieces were worn by employees who had facial hair that came between the sealing surface of the facepiece and the face or that interfered with valve function:

Production Area - On or about 3/22/16, an employee performing sanding and other duties was wearing a required-use tight-fitting respirator, and had facial hair that came between the sealing surface of the facepiece and the face.

Date By Which Violation Must be Abated: 06/21/2016
Proposed Penalty: \$2,000.00

Citation 1 Item 3 Type of Violation: **Serious**

29 CFR 1910.1025(e)(4)(i): When ventilation was used to control exposure to lead, measurements which demonstrate the effectiveness of the system in controlling exposure were not made at least every three months:

Window Master Inc. - On or about March 22, 2016, measurements were not taken to determine the effectiveness of ventilation which was being used to control exposure. Such measurements may include, but are not limited to, capture velocity, duct velocity, or static pressure.

Abatement Note: Ventilation measurements must be taken at least every three months, and measurements must also be made within 5 days of any change in production, process, or control which might result in a change in employee exposure to lead.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 06/30/2016
Proposed Penalty: \$2,800.00



Citation and Notification of Penalty

Company Name: Window Master, Inc.
Inspection Site: 1459 Main St., Dublin, NH 03444

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury or illness.

Citation 2 Item 1a Type of Violation: Repeat

29 CFR 1910.1025(c)(1): Employee(s) were exposed to lead at concentrations greater than fifty micrograms per cubic meter of air averaged over an eight-hour period:

- a. Routing - On or about March 22, 2016, the employer exposed employees to an airborne lead level of 78.65 micrograms per cubic meter, 1.57 times the permissible exposure limit (PEL) of 50 micrograms per cubic meter, while performing routing, without adequate engineering controls. Overexposure to lead can cause permanent kidney, blood, and reproductive damage.
- b. Sanding - On or about March 22, 2016, the employer exposed employees to an airborne lead level of 58.8 micrograms per cubic meter, 1.176 times the permissible exposure limit (PEL) of 50 micrograms per cubic meter, while performing power tool sanding with dust collection system. Overexposure to lead can cause permanent kidney, blood, and reproductive damage.

Window Master, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.1025(c)(1), which was contained in OSHA inspection number 1040673, citation number 1, item number 1a, and was affirmed as a final order on 09/04/2015 with respect to a workplace located at 1459 Main Street, Dublin, New Hampshire.

Abatement Note: Use of additional lead dust controls, such as local exhaust ventilation for the routing operation, and shrouds for the orbital sanders which are connected to the HEPA vacuums, are recommended to reduce the airborne lead concentration in the workers' breathing zone. Any ventilation that is used to control exposure must be checked on a regular basis to ensure its effectiveness.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	06/30/2016
Proposed Penalty:	\$5,600.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Window Master, Inc.
Inspection Site: 1459 Main St., Dublin, NH 03444

Citation 2 Item 1b Type of Violation: **Repeat**

29 CFR 1910.1025(d)(7): Additional exposure monitoring was not conducted when there was a change in production, process, control or personnel, or any other reason to suspect a change that may have resulted in new or additional exposure to lead:

- a. Routing - On or about March 22, 2016, employees were exposed to an airborne lead level of 78.65 micrograms per cubic meter, 1.57 times the permissible exposure limit (PEL) of 50 micrograms per cubic meter, and additional exposure monitoring had not been conducted to determine the level of lead that the employees could be exposed to while perform routing on sashes that potentially contain lead.
- b. Production Area - On or about March 22, 2016, an employee was exposed to an airborne lead level of 58.8 micrograms per cubic meter, 1.17 times the permissible exposure limit (PEL) of 50 micrograms per cubic meter, and additional exposure monitoring had not been conducted to determine the level of lead that the employees could be exposed to while perform sanding and other finish work on sashes that potentially contain lead.

Window Master, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard, 29 CFR 1910.1025(d)(2), which was contained in OSHA inspection number 1040673, citation number 1, item number 2a, and was affirmed as a final order on 09/04/2015 with respect to a workplace located at 1459 Main Street, Dublin, New Hampshire.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

06/21/2016

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1129115
Inspection Date(s): 03/01/2016 - 05/11/2016
Issuance Date: 05/25/2016



Citation and Notification of Penalty

Company Name: Window Master, Inc.
Inspection Site: 1459 Main St., Dublin, NH 03444

Citation 2 Item 2 Type of Violation: **Repeat**

29 CFR 1910.1025(g)(1): Appropriate protective work clothing and equipment were not used when employee(s) were exposed to lead above the permissible exposure limit (PEL), without regard to the use of respirators, or where the possibility of skin or eye irritation exists:

Sanding - On or about March 22, 2016, the employer exposed employees to an airborne lead level of 58.8 micrograms per cubic meter, 1.176 times the permissible exposure limit (PEL) of 50 micrograms per cubic meter, while performing power tool sanding with dust collection system, without assuring that workers wore appropriate protective work clothing, including coveralls, gloves, hat, shoes or shoe coverlets, and faceshield.

Window Master, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.1025(g)(1), which was contained in OSHA inspection number 1040673, citation number 1, item number 3, and was affirmed as a final order on 09/04/2015 with respect to a workplace located at 1459 Main Street, Dublin, New Hampshire.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	06/21/2016
Proposed Penalty:	\$5,600.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Window Master, Inc.
Inspection Site: 1459 Main St., Dublin, NH 03444

Citation 2 Item 3 Type of Violation: **Repeat**

29 CFR 1910.1025(h)(1): All surfaces were not maintained as free as practicable of accumulations of lead:

Throughout the facility - On or about March 1, 2016, surfaces were found with lead present as follows:

- a) Faucet handle in bathroom - 81.07 micrograms lead
- b) Light switch in bathroom - 9.4 micrograms lead
- c) Soap dispenser in bathroom - 106.3 micrograms lead
- d) Surface of lunch table where employees had eaten lunch - 36.27 micrograms lead
- e) Edge of lunchroom table - 260.1 micrograms lead
- f) Handle of water dispenser in lunchroom area - 13.55 micrograms lead

On or about March 22, 2016, surfaces were found with lead present as follows:

- g) Corner of lunchroom table (before lunch) - 71.7 micrograms lead
- h) Opposite corner of lunchroom table (before lunch) - 114.8 micrograms lead
- i) Corner of lunchroom table (after lunch) - 42.0 micrograms lead
- j) Opposite corner of lunchroom table (after lunch) - 149.3 micrograms lead
- k) New sink in production area for hand-washing - 72.52 micrograms lead

Window Master, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.1025(h)(1), which was contained in OSHA inspection number 1040673, citation number 1, item number 4, and was affirmed as a final order on 09/04/2015 with respect to a workplace located at 1459 Main Street, Dublin, New Hampshire.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	06/21/2016
Proposed Penalty:	\$5,600.00



Citation and Notification of Penalty

Company Name: Window Master, Inc.
Inspection Site: 1459 Main St., Dublin, NH 03444

Citation 2 Item 4 Type of Violation: **Repeat**

29 CFR 1910.1025(i)(2)(i): Clean change rooms were not provided for employees exposed to lead in excess of the permissible exposure limit (PEL), without regard to the use of respirators:

- a. Routing - On or about March 22, 2016, the employer exposed employees to an airborne lead level of 78.65 micrograms per cubic meter, 1.57 times the permissible exposure limit (PEL) of 50 micrograms per cubic meter, while performing routing, without providing change rooms for the exposed employees.
- b. Sanding - On or about March 22, 2016, the employer exposed employees to an airborne lead level of 58.8 micrograms per cubic meter, 1.176 times the permissible exposure limit (PEL) of 50 micrograms per cubic meter, while performing power tool sanding with dust collection system, without providing change rooms for the exposed employees.

Window Master, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.1025(i)(2)(i), which was contained in OSHA inspection number 1040673, citation number 1, item number 5a, and was affirmed as a final order on 09/04/2015 with respect to a workplace located at 1459 Main Street, Dublin, New Hampshire.

(Continued on the next page)



Citation and Notification of Penalty

Company Name: Window Master, Inc.
Inspection Site: 1459 Main St., Dublin, NH 03444

(Continued from previous page)

Abatement Note: Change rooms must be provided and used any time worker exposures exceed the OSHA PEL of 50 micrograms/m³ for 8-hour TWA. Change rooms shall be equipped with separate storage facilities for protective work clothing and equipment and for street clothes which prevent cross contamination. The employer shall ensure that labels of bags or containers of contaminated protective clothing and equipment include the following information:

DANGER: CLOTHING AND EQUIPMENT CONTAMINATED WITH LEAD. MAY DAMAGE FERTILITY OR THE UNBORN CHILD. CAUSES DAMAGE TO THE CENTRAL NERVOUS SYSTEM. DO NOT EAT, DRINK OR SMOKE WHEN HANDLING. DO NOT REMOVE DUST BY BLOWING OR SHAKING. DISPOSE OF LEAD CONTAMINATED WASH WATER IN ACCORDANCE WITH APPLICABLE LOCAL, STATE, OR FEDERAL REGULATIONS.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	07/13/2016
Proposed Penalty:	\$5,600.00



Citation and Notification of Penalty

Company Name: Window Master, Inc.
Inspection Site: 1459 Main St., Dublin, NH 03444

Citation 2 Item 5 Type of Violation: **Repeat**

29 CFR 1910.1025(i)(3)(ii): Shower facilities, in accordance with 29 CFR 1910.141(d)(3), were not provided for employee(s) exposed to lead in excess of the permissible exposure limit (PEL), without regard to the use of respirators:

- a. Routing - On or about March 22, 2016, the employer exposed employees to an airborne lead level of 78.65 micrograms per cubic meter, 1.57 times the permissible exposure limit (PEL) of 50 micrograms per cubic meter, while performing routing, without having a shower available for employees to use at the end of their work shift.
- b. Sanding - On or about March 22, 2016, the employer exposed employees to an airborne lead level of 58.8 micrograms per cubic meter, 1.176 times the permissible exposure limit (PEL) of 50 micrograms per cubic meter, while performing power tool sanding with dust collection system, without having a shower available for employees to use at the end of their work shift.

Window Master, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.1025(i)(3)(ii), which was contained in OSHA inspection number 1040673, citation number 1, item number 5b, and was affirmed as a final order on 09/04/2015 with respect to a workplace located at 1459 Main Street, Dublin, New Hampshire.

Abatement Note: Showers must be provided and used any time worker exposures exceed the PEL of 50 micrograms/m³ for 8-hour TWA.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	07/13/2016
Proposed Penalty:	\$5,600.00



Citation and Notification of Penalty

Company Name: Window Master, Inc.
Inspection Site: 1459 Main St., Dublin, NH 03444

Citation 2 Item 6 Type of Violation: **Repeat**

29 CFR 1910.1025(i)(4)(ii): Lunchroom facilities for employees exposed to lead in excess of the permissible exposure limit (PEL), without regard to the use of respirators, were not provided with a temperature controlled, positive pressure, filtered air supply:

Window Master, Dublin, NH - On or about March 22, 2016, the lunchroom was not provided with a temperature controlled, positive pressure, filtered air supply, for workers who were exposed to lead in excess of the PEL.

Window Master, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.1025(i)(4)(ii), which was contained in OSHA inspection number 1040673, citation number 1, item number 5c, and was affirmed as a final order on 09/04/2015 with respect to a workplace located at 1459 Main Street, Dublin, New Hampshire.

Abatement Note: Appropriate lunchroom facilities must be provided and used any time worker exposures exceed the PEL of 50 micrograms/m³ for 8-hour TWA.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	07/13/2016
Proposed Penalty:	\$5,600.00

A handwritten signature in cursive script, reading "Rosemarie O. Cole", written over a horizontal line.

Rosemarie O. Cole
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
53 Pleasant Street, Room 3901
J.C. Cleveland Federal Bldg.
Concord, NH 03301
Phone: 603-225-1629 Fax: 603-225-1580



INVOICE / DEBT COLLECTION NOTICE

Company Name: Window Master, Inc.
Inspection Site: 1459 Main St., Dublin, NH 03444
Issuance Date: 05/25/2016

Summary of Penalties for Inspection Number	1129115
Citation 1, Serious	\$6,800.00
Citation 2, Repeat	\$33,600.00
TOTAL PROPOSED PENALTIES	\$40,400.00

To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to: "DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance. You can also make your payment electronically on www.pay.gov. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is <https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>. You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

OSHA does not agree to any restrictions or conditions or endorsements put on any check, money order, or electronic payment for less than the full amount due, and will cash the check or money order as if these restrictions or conditions do not exist.

If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 24 hours and will be shown on your regular account statement. You will not receive your original check back. The bank will destroy your original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed

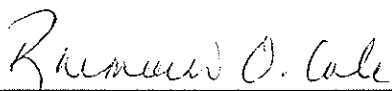
account, the bank will attempt to make the transfer up to 2 times.

Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts for violations of the Occupational Safety and Health Act.

Interest: Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is one percent (1%). Interest will accrue from the date on which the penalty amounts (as proposed or adjusted) become a final order of the Occupational Safety and Health Review Commission (that is, 15 working days from your receipt of the Citation and Notification of Penalty), unless you file a notice of contest. Interest charges will be waived if the full amount owed is paid within 30 calendar days of the final order.

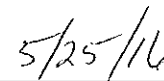
Delinquent Charges: A debt is considered delinquent if it has not been paid within one month (30 calendar days) of the penalty due date or if a satisfactory payment arrangement has not been made. If the debt remains delinquent for more than 90 calendar days, a delinquent charge of six percent (6%) per annum will be assessed accruing from the date that the debt became delinquent.

Administrative Costs: Agencies of the Department of Labor are required to assess additional charges for the recovery of delinquent debts. These additional charges are administrative costs incurred by the Agency in its attempt to collect an unpaid debt. Administrative costs will be assessed for demand letters sent in an attempt to collect the unpaid debt.



Rosemarie O. Cole

Area Director


Date

U.S. Department of Labor - Occupational Safety and Health Administration

Inspection Report

Fri May 13, 2016 15:14:21 PM

RID	CSHO ID	Supervisor ID	Inspection Number	Optional Report Number	Case Closed Date
0111700	V3499	Q6898	1129115	1615	

Establishment Name	Window Master, Inc.		Doing Business As (DBA)		
Establishment Owner Name	Private Sector	Type of Business	Corporation	Primary NAICS	811420
Site Address	1459 Main St. DUBLIN, NH, 03444	Site Phone		Extn	Site FAX
Business Address	1459 Main St. DUBLIN, NH, 03444	Business Phone	(603)-563-7788		Business FAX (603)-563-7799
Mailing Address	1459 Main St. DUBLIN, NH, 03444	E-mail			Mobile Phone
Site Activity	Window restoration	NAICS Inspected	811420		Days on Site 3
Federal EIN	020474288	DUNs	884718339	Temporary or Fixed Site?	Fixed Site
State Estab Id		DUNS plus4		CAGE Code	

Entry	01-MAR-2016		First Closing Conference	01-MAR-2016	
Opening Conference	01-MAR-2016		Second Closing Conference	11-MAY-2016	
Walkaround	01-MAR-2016		Exit	01-MAR-2016	

Inspection Initiating Type	Follow-Up			Secondary Type	
Other Initiating Type				Inspection Category	Health
Scope of Inspection	Partial			Reason No Inspection	
Sampling Performed?	Y	SVEP	N	Expln. for No Insp.	
Federal Strategic Initiatives	LEAD				
National Emphasis	LEAD				
Local Emphasis					
Primary Emphasis					

Employed in Establishment	11	Walkaround?	N	Advance Notice?	N
Covered By Inspection	7	Interviewed?	Y	Flag for Follow-up	N
Controlled By Employer	11	Union?	N	Reason for Follow-up	
Is this Company a current federal contractor?	N	Attempt made to capture Exec Order Info?		Y	

Parent Company Legal Name			Parent Comp Trade Name/DBA		
Parent Company Address		Phone Number		Extn	
TIN / EIN			DUNS		
CAGE Code			DUNS plus4		

Related Activity			
Activity Number	Activity Type	Satisfied	Establishment Name

Related Inspections		
Inspection Number	Establishment Name	Related Inspection Type
1040673	Window Master, Inc.	PREVIOUS INSPECTION

Additional Codes			
Type	ID	Value	Description
N	06	LAB	Health Sampling Conducted During Inspection
N	16	LEAD	Lead Related Inspection

Employer Representatives Contacted							
Name		Scott Hillock		Job Title		Operations Manager	
Address				Interviewed?		Y	
Home		Work	603-563-7788	Mobile	603-533-3449	Fax	603-563-7799
Email		scott@windowmasternh.com		Participation		Walk Around, Credentials, Closing Conference, Opening Conference	
Name		David Voorhis		Job Title		Owner/President	
Address				Interviewed?		Y	
Home		Work		Mobile		Fax	
Email				Participation		Credentials, Closing Conference, Opening Conference	

Employees Contacted							
Name		Ben Joslyn		Job Title		Foreman/Router	
Address		550 Middletown Rd. ROXBURY, NH, 03431		Interviewed?		Y	
Home		Work		Mobile	603-209-2493	Fax	
Email				Participation			
Name		Brian Durocher		Job Title		Production	
Address		4 Troy Rd. MARLBOROUGH, NH, 03455		Interviewed?		Y	
Home	603-264-4760	Work		Mobile		Fax	
Email				Participation			

Name	Cory Trudelle	Job Title		Occupation	
Address			Interviewed?	N	
Home		Work		Mobile	
Email			Participation		
Name	Christopher Whitney	Job Title	restoration Technici	Occupation	
Address	78 Webb Depot Rd. MARLBOROUGH, NH, 03455		Interviewed?	Y	
Home		Work		Mobile	603-209-4111
Email			Participation		
Name	Jon Hillock	Job Title	Routing/Shop Foreman	Occupation	Shop Foreman
Address	79 Mayflower Drive KEENE, NH, 03431		Interviewed?	Y	
Home		Work		Mobile	603-682-3360
Email			Participation		

Penalty Adjustment Factors					
Size Reduction	60%	Good Faith Reduction	0%	History Reduction	0%
Size Justification		Good Faith Justification	repeats	History Justification	Repeat violations found

CSHO Signature	<i>Glenn Sullivan</i>	Date	5/13/16
----------------	-----------------------	------	---------

HEALTH NARRATIVE

Inspection Number

1129115

COVERAGE INFORMATION: Company restores old wood windows, replacing single pane with energy efficient double pane glass, and also makes some replacement windows in New Hampshire and parts of Massachusetts, as well as other states. The steam stripping process has been discontinued. Any windows that need to have paint removed are sent to Finishline in Lowell, MA, and then returned to the Window Master shop for routing, sanding, and/or painting before they are reinstalled for the customer.

NATURE AND SCOPE

Check Applicable Boxes and Explain Findings:

☒ Follow-up Inspection

NATURE AND SCOPE – UNUSUAL CIRCUMSTANCES (Mark X and explain all the apply:)

☒ None

Comments: Follow-up inspection was initiated on March 1, 2016. The employer had just received blood lead results that showed increased blood lead and ZPP for six of their production workers, and was under the impression that OSHA's visit was due to a referral from NH Public Health. It was explained that the visit was for a follow-up inspection to check on abatement from the previous inspection conducted in March 2015, and that the blood lead report they had just received had not yet been referred to the OSHA office. A copy of these results was obtained, and can be found in the case file.

OPENING CONFERENCE NOTES:

Credentials were presented and the Opening Conference was held with David Voorhis, President, and Scott Hillock, Operations Manager. Also present was OSHA student intern Jacob Boucher. The nature and scope of the inspection was discussed, and all opening conference guidelines were reviewed.

RECORDKEEPING

(Copy of OSHA 200's or 300's for General Industry must be in casefile)

Records (Mark "X" as appropriate)

☒ OSHA 300

☒ OSHA 300 A

Poster

☒ Yes ☐ No

Location of Poster: Employee bulletin board

Additional Comments:

WALKAROUND OBSERVATIONS/UNUSUAL OCCURRENCES:

OSHA EXPOSURE MONITORING.

Performed?:

☒ Yes ☐ No

Sampled for: Lead

Full Shift/Screening: Full shift

Significant Delay(s)?:

☐ Yes ☐ No

If yes, explain: Routing and sanding was not being done for any "lead" jobs on the day of the initial inspection. OSHA returned to the site on 3/22/16 for sampling when window sash from the Hubbard Hall job was on site and ready for routing and sanding.

EMPLOYER'S OCCUPATIONAL HEALTH PROGRAM

MONITORING PROGRAM

Is any sampling being performed?

☒ Yes ☐ No

If Yes, Describe: Hazard By Whom Method Frequency
21(d) program did sampling 7/8/15 and again on 11/13/15. The Hubbard Hall job started in late November 2015, and consisted of approximately 200 windows.

Were overexposures documented by the employer?

☒ Yes ☐ No

Were results obtained by CSHO/IH?

☒ Yes ☐ No

MEDICAL SURVEILLANCE PROGRAM

Does the employer have a medical program?

☒ Yes ☐ No

Are any programs required by OSHA health standards?

☒ Yes ☐ No

Were any deficiencies noted on frequency, protocol or records?

☒ Yes ☐ No

No audiometric testing program

EDUCATION AND TRAINING PROGRAM

Does the employer have an education and training program?

☒ Yes ☐ No

Are any program required by OSHA health standards (other than the Hazard Communication standard)?

☒ Yes ☐ No

Were any deficiencies noted on content or frequency?

☐ Yes ☒ No

RECORDKEEPING PROGRAM (Other than 29 CFR 1904 requirements)

Does the employer have record keeping program relating to any occupational health issues (monitoring, medical, training, respirator fit tests, ventilation measurements etc.)?

☒ Yes ☐ No

Are any programs required by OSHA health standards?

☒ Yes ☐ No

Were any deficiencies noted on content, frequency or access?

☒ Yes ☐ No

COMPLIANCE PROGRAMS

(engineering controls, PPE, regulated areas, emergency procedures, compliance plans etc.)

Address any relevant compliance efforts regarding potential health hazards covered by the scope of inspection.

Since the last inspection, the employer has made several attempts to reduce the airborne lead exposure levels. The various engineering controls in the steam stripping room included a downdraft table, installation of a wall exhaust fan in the Steam Stripping Room, and adding makeup air, etc. None of these seemed to work, and sampling done by 21(d) in July 2015 showed a TWA of 75 ug/m3. Testing in November 2015 showed 1500 ug/m3, so the employer decided to completely shut down this part of the operation, and send the windows out to a company in Lawrence, MA, called Finishline, to have the lead paint removed from the windows. The routing room is still in operation, and 21(d) sampling in July 2015 showed a TWA of 67 ug/m3. Changes were made to this room to increase the make-up air to improve the efficiency of the wall fan by removing the glass from an interior window to allow for more shop air to flow toward the exhaust fan. A filter was also removed from the exhaust fan in order to increase the capture velocity. This seemed to help somewhat, and sampling done by 21(d) on 11/13/15 showed a TWA of 22 ug/m3. However, two weeks later, the employer took on a job called "Hubbard Hall" out of North Hampton, NH, which involved 209 windows that had already had the lead paint removed by another entity a year or two earlier. This job has been going on since approximately 11/23/15. There was no testing of the wood to determine how much lead had leached into the wood. There was no additional exposure monitoring done to determine the airborne lead levels. The job involved more workers to perform sanding and repairs to the sash in the production area. The employer assumed that the lead levels would stay consistent with the previous air sampling since the paint had already been removed before arriving at the Window Master shop. Respirators were continued to be used in the routing room, however, the sanding area workers were not required to wear respiratory protection. In February 2016, it was time for the 6-month blood leads to be collected. The results were sent in a letter dated 2/26/16 to the employer, who received the letter approximately 2/29/16. The OSHA follow-up inspection coincidentally was initiated on 3/1/16. The employer could only surmise that the increase in the blood leads was due to the increase in sanding done in the production area (more windows to be sanded and more workers sanding.) The employer was in the process of purchasing additional HEPA vacuums to connect to the electric orbital sanders that were being used by the workers. OSHA sampling was conducted on 3/22/16 when more windows from the Hubbard Hall job were ready for routing and sanding (and all 4 sanders had HEPA vacuums in place for dust collection near the point of dust generation.) Exposure levels were found to be above the PEL for 3 out of the 5 workers sampled, including routing, and one of the production workers who was stationed at a table in the far corner of the "old window" section, farthest away from any general dilution ventilation, was also above the PEL.

PERSONAL HYGIENE FACILITIES AND PRACTICES

(showers, lockers, change rooms, etc.)

Are any required by OSHA standards?

☒ Yes ☐ No

What Standards: 1910.1025(i)

Were any deficiencies noted?

☒ Yes ☐ No

What: There were no showers or change rooms. There is only bathroom for the entire facility, which is located in the middle of the production area. During the previous inspection, the company was cited for not having hot and cold running water or tepid water as required under 1910.141(d), especially since cold water is not sufficient for hand washing and other cleanup to remove lead prior to eating, drinking, smoking, or going home for the day. Since the last inspection, the employer has installed a hot water heater and also installed an additional sink outside the bathroom for workers to use for washing. However, wipe samples taken in these areas still showed the presence of lead on the sinks, etc. In addition, the lunch room was found with lead on several surfaces, as shown by the wipe sample results. The lunchroom was not provided with a temperature controlled, positive pressure, filtered air supply, for workers who were exposed to lead in excess of the PEL.

LABELING AND POSTING POLICIES AND PROCEDURES

(Other than 29 CFR 1903, 29 CFR 1904 and Hazard Communication Standard)

Are any required by OSHA health standards?

☒ Yes ☐ No

What Standards: 1910.1025(m)

Were any deficiencies noted?

☒ Yes ☐ No

What: The Routing Room and the old Stripping Room were posted as lead hazard areas, but the work table areas in production where sanding of windows was being performed, and where lead levels for one of these areas showed levels above the PEL, were not posted as Lead Hazard areas. Also, the trash barrels where the contaminated clothing was placed by workers after routing were not labeled as lead contaminated trash.

HAZARD COMMUNICATION PROGRAM

Written Program (complete)

☒ Yes ☐ No

MSDS's (all)

☒ Yes ☐ No

Labeling (adequate)

☒ Yes ☐ No

Training (complete)

☒ Yes ☐ No

Copy of MSDSs/Program attached

☐ Yes ☒ No

Comments: Program in previous file (inspection number 1040673)

ACCESS TO EXPOSURE & MEDICAL RECORDS – Discussed on OSHA poster

RESPIRATOR PROGRAM – Written program revised 1/14/15, Quantitative Respirator Fit testing using a TSI PortaCount was provided by Monadnock Community Hospital – Occupational Health at time of blood lead and ZPP testing on 2/12/16 – 2/19/16 for most of the workers. Medical exams (considered as pre-placement health assessment and physical) were done in July 2015 to abate the violation for no medical surveillance for lead exposed workers (Brian, Ben, Jon H., and Scott M.). Other workers with exposure to lead were also included and copies are in the case file.

EVALUATION OF EMPLOYER'S OVERALL SAFETY AND HEALTH PROGRAM

General Industry:

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Employer has a Safety & Health Program
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Written
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Copy Attached (See previous case file 1040673)

Evaluation of Safety and Health Program

(0=Nonexistent 1=Inadequate 2=Average 3=Above average)

2 ☐ Written S&H Program

2 ☐ Communication to Employees

2 ☐ Enforcement

☐ Safety Training Program

2 ☐ Health Training Program

0 ☐ Accident Investigation Performed

0 ☐ Preventive Action Taken

Comments:

CLOSING CONFERENCE NOTES:

Were any unusual circumstances encountered such as, but not limited to, abatement problems, expected contest and/or negative employer attitude? If yes, explain below:

☒ Yes ☐ No

Owner/President David Voorhis stated that he had issues with the OSHA sampling. He felt that since the sample cassette was on the right should instead of the left shoulder, the results were skewed, and he said they did not represent the actual exposure level for the employee. CSHO explained definition of breathing zone, but owner did not budge. He also stated that he would not be putting in a shower, change room, or positive pressure air filtration in the lunch room.

19. Closing Conference Checklist ("x" as appropriate)

- ☐ No Violations Observed
- ☒ Gave Copy Employer Rights
- ☒ Reviewed Hazards and Standards
- ☒ Discuss Employer Rights/Obligations
- ☒ Encouraged Informal Conference
- ☒ Offered Abatement Assistance
- ☒ Discussed Consultation Programs (Employer has used 21(d) several times)

Closing Conference held with Employee Representative

☐ Jointly ☐ Separately ☒ Not applicable.